

JUL 20 2007

REMARKS

Favorable reconsideration of this application is requested in view of the above amendments and the following remarks. Claims 15-18 are pending. Claims 1-14 have been canceled without prejudice or disclaimer. Editorial revisions have been made in claim 15.

Claims 1-5 and 15-18 were rejected as being based on an unsigned reissue oath/declaration. An executed oath was filed on April 20, 2007, but apparently had not reached the Examiner at the time the Office Action was mailed. The filing of the executed oath renders this issue moot.

Claims 1-5 were rejected for failing to comply with the written description requirement. This is rendered moot by the cancellation of claims 1-5. Applicants are not conceding the correctness of the rejection.

Claims 15-18 were rejected as indefinite. Editorial revisions have been made in claim 15, and the rejection should be withdrawn.

Claims 1-5 were rejected as obvious over Yamasaki in view of Takasu. This is rendered moot by the cancellation of claims 1-5. Applicants are not conceding the correctness of the rejection.

Claims 15-18 were rejected as obvious over Takaishi in view of Takasu. Applicants respectfully traverse this rejection.

Claim 15 is directed to a semiconductor device that comprises a semiconductor element area that includes a plurality of semiconductor elements. The semiconductor element area is surrounded by a plurality of dummy semiconductor elements. Each of the dummy semiconductor elements includes a dummy capacitor comprised of dummy bottom electrode, dielectric layer on the dummy bottom electrode, and dummy top electrode on the dielectric layer. As seen in the discussion of Figs. 17-18 at col. 8 of this application, the presence of the dummy capacitor elements results in improved and stabilized remnant polarization. This provides the advantage of an increased margin of error in reading data from the device.

The rejection cites Takaishi as disclosing a semiconductor device in which a semiconductor element area and a dummy semiconductor element area are provided, with the dummy semiconductor elements being defined by items 21-14-15-20-22. Applicants respectfully disagree with the rejection's interpretation of the reference. Reference numeral 21 of the reference in fact is the plug for the wiring. See, e.g., the discussion of Fig. 4M at col. 5,

lines 40-45. The reference numerals 14 and 15 are an insulating layer and upper electrode layer. See, e.g., Col. 5, lines 16-22. The reference describes no relationship among the elements 21-14-15, and in fact the rejection's interpretation of the reference in this manner fails to account for a dummy bottom electrode as required by claim 15. Takašu does not remedy the indicated deficiencies of Takaishi, and therefore the rejection should be withdrawn.

Moreover, with respect to claim 17, it can be seen from the present Fig. 19 and the accompanying discussion at col. 8 that the remnant polarization level in the range of 13 to 15  $\mu\text{C}/\text{cm}^2$  is not achieved routinely. Therefore, the assumptions used for the rejection of claim 17 are not supported adequately in the record.

In view of the above, Applicants request reconsideration of the application in the form of a Notice of Allowance.

Respectfully submitted,

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